

REMARKS

By this Amendment, claims 1-59 have been amended. No claims have been cancelled or newly added. Support for the instant amendments is provided throughout the as-filed application. No new matter has been added. Accordingly, claims 1-59 are pending.

In view of the following comments, allowance of all the claims pending in the application is respectfully requested.

REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claims 1-59 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which the Applicant regards as their invention.

The Board concluded that the Examiner erred in rejecting claims 1-59 under 35 U.S.C. § 112, second paragraph. [Decision, page 12].

Accordingly, the rejection of claims 1-59 under 35 U.S.C. § 112, second paragraph, is improper and must be withdrawn.

REJECTIONS UNDER 35 U.S.C. §103

In the Decision, the Board affirmed the following grounds of rejections:

- I. The rejection of claims 1-5, 7-19, 22-32, 34-46, 49-54, and 57-58 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,940,843 to Zucknovich et al. ("Zucknovich");
- II. The rejection of claims 6, 20-21, 33, and 47-48 under 35 U.S.C. §103(a) as being unpatentable over Zucknovich in view of U.S. Patent No. 6,243,733 to Moran ("Moran");
- III. The rejection of claims 55-56 under 35 U.S.C. §103(a) as allegedly being unpatentable over Zucknovich in view of U.S. Patent No. 5,787,175 to Carter ("Carter"); and

IV. The rejection of claim 59 under 35 U.S.C. §103(a) as allegedly being unpatentable over Zucknovich in view of U.S. Patent No. 6,243,722 to Day et al. ("Day").¹

[Decision, pages 12-13].

Applicant disagrees with the propriety of each of these rejections for at least the reasons presented in Applicant's Appeal Brief and Reply Brief, as well as made during the Oral Hearing before the Board, each of which is incorporated herein by reference in its entirety. However, solely in an effort to expedite prosecution, Applicant has amended the claims to further clarify aspects of the claimed invention.

Independent claim 1 recites, *inter alia*, the features of:

receiving, from a financial services client, ***a request to define a collaboration team comprising a first financial service provider participant and a second financial service provider participant that are financial advisers for the financial services client, and to provide a first scope of authorization and a second scope of authorization for the first and second financial service provider participants, respectively, to access data of the financial services client;***

providing a common electronic forum for storing the financial services client data and ***making the financial services client data selectively accessible to authorized ones of the financial service provider participants such that the common electronic forum enables the financial service provider participants (i) to access at least portion of the financial services client data according to the financial service provider participant's scope of authorization, and (ii) to post information to the common online forum, such that the posted information is accessible to the financial services client and authorized ones of the financial service provider participants.***

[Emphasis added].

¹ The Board did not specifically mention nor address this rejection in the Decision. The Board noted, though, that the Examiner relied upon Day as evidence of unpatentability. [Decision, pages 2-3]. And, the Board further stated: "We thus affirm the rejections of claims 1-59 made under 35 U.S.C. § 103(a)," [Decision, page 8]. For these reasons, Applicant will assume that the Board intended to affirm this rejection as well.

Zucknovich does not disclose, teach, or render obvious at least the above-emphasized features of independent claim 1. For example, Zuchnovich makes no mention that that investors (or users) define a collaboration team having multiple financial advisors, and provide a scope of authorization for respective financial service provider participants to access data of the investor or user. Nor does Zuchnovich teach or suggest making the financial services client data selectively accessible to authorized ones of the financial service provider participants via a common electronic forum that enables the financial service participants (i) to access at least portion of the financial services client data according to the financial service provider participant's scope of authorization, and (ii) to post information to the forum, such that the posted information is accessible to the financial services client and authorized ones of the participants, as claim 1 recites.

For at least the reason that the cited portions of Zucknovich do not disclose, teach, or render obvious each and every features of claim 1, the rejection of independent claim 1 is improper. Independent claims 15, 28, 42 and 57 recite similar recitations as claim 1, and therefore are also patentable over Zuchnovich. Claims 2-14, 16-27, 29-41, 43-56 and 58-59 ultimately depend from independent claims 1, 15, 28, 42 and 57 and therefore are also patentable over the cited portions of the relied upon references for the reasons noted above with respect to claims 2-14, 16-27, 29-41, 43-56 and 58-59 depend from independent claims 1, 15, 28, 42 and 57, as well as for the additional features they recite individually.

Accordingly, the rejections of claims 1-59 under 35 U.S.C. § 103(a) should be withdrawn and the claims be allowed.

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the Decision and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

If an extension of time is necessary to prevent abandonment of this application, then such an extension of time is hereby petitioned for under 37 C.F.R. §1.136(a). Any fees required (including fees for net addition of claims) are hereby authorized to be charged to **Deposit Account No. 033975 or 24-0037** (Ref. No. **019213-0311368**).

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Respectfully submitted,

By: _____



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